

FINDING OF NO SIGNIFICANT IMPACT (FONSI)

CITY OF CLINTON CARDEN FARM SPORTS COMPLEX AND RIVERWALK DEVELOPMENT MELTON HILL RESERVOIR, ANDERSON COUNTY, TENNESSEE

Purpose and Need

The city of Clinton (City) requests that TVA modify a sale deed to allow recreation development on land originally sold for industrial purposes. The City now believes that recreational use would be a better, more beneficial use for the community. If approved, the City would develop this land (Tract No. XMHR-49), between Clinch River (Melton Hill Reservoir) Miles 59.0L and 59.3L, for a multipurpose recreational sports complex called the Carden Farm Sports Complex and Riverwalk (Sports Complex). The City also requests a land allocation change from industrial/commercial to recreation for a portion of TVA Planned Tract No. XMHR-142. This would be a modification of the Melton Hill Reservoir Land Management Plan. The City also proposes shoreline stabilization, a boat dock and pedestrian bridge construction which would be approved under Section 26a of the TVA Act. Sports Complex development would increase the City's baseball and softball league capacity and provide top quality facilities. Citizens would benefit from construction of the waterfront docking facilities, an increase in local recreational use opportunities, and an improvement in their quality of life and recreation experiences.

The City initially planned to sell 5.8 acres of property it owns, of which 2.005 acres lies within Jaycee Park. Receipts from the sale of this piece of parkland could then include those proceeds to help fund development of the new Sports Complex (see Sections 1.4, 3.4, and 4.4 of the attached environmental assessment (EA) for discussion of the Land and Water Conservation Fund Section 6(f) conversion). However, prior to finalizing this FONSI, the City indicated that it would not likely sell this land and use the proceeds for development of the proposed Sports Complex. Since there is still some uncertainty on the issue whether the proceeds would be used to help fund the complex, the impacts of commercial development of the 2.005-acre piece of Jaycee Park are included in TVA's impact evaluation (also see Public and Intergovernmental Review below and August 10, 2005, letter from Tennessee Department of Environment and Conservation (TDEC), Division of Recreation Resources in Appendix B of the attached EA).

The attached EA has been prepared to better understand the nature and significance of the effects on cultural properties, navigation, noise, terrestrial ecology, transportation, visual, and other resources at or near the site, and to assess the impacts of the entire proposed Sports Complex project. TVA prepared an EA in 1985 for the original sale of the 138-acre Carden Farm Industrial Park land to the City (Tract No. XMHR-49). This parcel was among those included in the original land sale.

Alternatives

The EA evaluates the potential affects of three alternatives, a No Action and two action alternatives (Alternatives B and C). Under the No Action (Alternative A) Alternative, TVA would not grant a deed modification or change in land use allocation on its planned land. Also, TVA would not approve the docking, stabilization, or bridge structures proposed on the shore and over the Clinch River. Under Alternative B (Clinton Sports Complex Proposal), the Sports Complex, including ball fields, pavilion, restaurant, concessions,

Riverwalk Trail, parking lot and other support facilities and amenities, would be constructed as proposed and as described in the attached EA. Under Alternative C (Clinton Sports Complex Proposal with Mitigation), the Sports Complex would consist of all the facilities described under Alternative B. However, to reduce or offset cultural, natural resource, social or environmental effects of complex construction and operation, project specific special mitigation measures would be implemented. TVA's preferred alternative is Alternative C.

Affected Environment and Impacts

As described in the attached EA, the project is mostly open land. The project would not result in direct emissions of pollutants into the air, water, or land; no hazardous waste or waste requiring special handling and disposal would be used onsite; surface water, groundwater, and aquatic ecology would not be affected; no prime or unique farmland occurs and no negative economic impacts are anticipated. No navigation impacts from construction and operation of shoreline stabilization, boat dock, and the pedestrian bridge are expected. Substantial structures associated with the complex would be located outside of the 100- and 500-year floodplains. All facilities proposed within the 100-year floodplain are considered to be repetitive actions. Therefore, the project would comply with Executive Order 11988 (Floodplain Management).

Because there would be negligible impacts on the community, selection of Alternative C would not disproportionately impact minority or low-income populations in the area (see Section 4.8 Summary of Impacts in the attached EA). With adherence to the mitigative measure in Section 4.9 in the attached EA, TVA has determined that development, operation, and use of the Sports Complex would cause negligible impacts from traffic, noise, and visual alterations on the nearby residential community.

Following consultations with the Tennessee State Historic Preservation Officer (SHPO) and Eastern Band Cherokee Indians (EBCI) regarding Site 40AN165 and in response to their concerns regarding inadvertent discoveries, the City would agree to conduct any grading, soil removal, or excavation within this area while the work is being monitored by a qualified archaeologist approved by TVA. By email dated August 4, 2005, EBCI concurred with the proposal to have archaeological monitoring during excavation of a portion of the Sports Complex site. The City has also agreed to landscape, maintain, and manage the Sports Complex in such a way that retains or replaces (plants) trees to screen historic structures of concern. In addition, full cutoff or shielded directional lighting will be used to minimize visual effects on these structures. With adherence to these mitigative measures (see Section 4.9 in the attached EA), TVA determined that development and operation of the Sports Complex would not adversely affect historic properties. By letter dated July 12, 2005, the SHPO indicated that, as currently proposed, the project will not adversely affect any property that is eligible for listing in the National Register of Historic Places; and, therefore, has no objection to the implementation of the project (Appendix A of the attached EA).

Public and Intergovernmental Review

The Clinton City Council (Council) and the Clinton Recreation Advisory Board hosted a town hall meeting on September 13, 2002, to inform the public of plans for the Sports Complex and seek comments. Most participants felt that the new facilities were needed to replace old outdated recreation facilities and boost the local economy. Although a few

people expressed concerns about the project, City officials responded to their concerns. TVA published a public notice in the *Clinton Courier News* on July 23, 2003. TVA received four comments, all of which were supportive of the project. In the fall of 2004, the 21st Century Riverfront Commission initiated a study of possible development along the broader Clinton riverfront. Through the Council's public master plan development process, it endorsed development of the Sports Complex site.

On July 15, 2005, TVA circulated a draft EA (DEA) to 17 other federal, state, and local agencies, including the City and other cooperating agencies for review and comments. TVA also posted the DEA on its external website to solicit public comments. Comments on the DEA were requested by August 12. Comments were received from four federal agencies, U.S. Fish and Wildlife Service (USFWS), U.S. Army Corps of Engineers (USACE), United States Coast Guard (USCG), and U.S. Department of the Interior, Geological Survey (USGS); two state agencies, Tennessee Wildlife Resources Agency (TWRA), and TDEC (Divisions of Air pollution Control and Recreation Resources); one local agency, East Tennessee Development District (ETDD), and the City. No comments were received from the public (Appendix B in the attached EA).

TVA determined that the project will not impact state or federally listed endangered or threatened species. By letter dated July 22, 2005, the USFWS indicated that the draft EA adequately describes the resources within the project area and the impacts of potential alternatives to these resources. Furthermore, the USFWS indicated that it has no objection to the Preferred Alternative (Alternative C), and believes it (the project) will have no adverse impacts to fish and wildlife resources of the area (Appendix B of the attached EA).

By letter dated July 22, 2005, ETDD, in its role as a regional clearinghouse to review state and federally-assisted projects, indicated that it finds no conflicts with the plans or programs of the District or other agencies in the region. By letter dated July 27, 2005, the USACE indicated that the DEA addressed the resources and areas of its interest. By letter dated July 27, 2005, the USCG suggested the addition of information to address air quality, water quality, prime and unique farmland, environmental justice, and whether the project could impact or cause the relocation of residences or businesses. By letter dated July 28, 2005, TDEC, Division of Air Pollution Control, indicated that it had no comment on the proposal. By letter dated August 4, 2005, TWRA indicated that the potential impacts associated with industrial development of the site would be greater than those posed under Alternative C. It further recommended adoption of Alternative C. By letter dated August 10, 2005, TDEC, Division of Recreation Resources indicated that, based on its discussions with the City, the City would not be pursuing the sale of approximately 2 acres of its property in Jaycee Park to provide funding for development of the proposed Sport Complex. The City confirmed this discussion and, although the impacts of the sale of this property are addressed in the attached EA, it has withdrawn this element of its proposal. By letter also dated August 10, 2005, USGS suggested the need for improvements to improve legibility of the DEA figures and more explicit references to the potential project related water quality impacts and how they would be avoided or minimized. The final EA was revised to include this information and address all these issues.

Mitigation

This project will be approved contingent upon the City successfully implementing needed best management practices for erosion and sediment control (TVA Standard Conditions 5a-e, 6a, and 6c-i). The City will also adhere to impact minimization and avoidance measures included in any USACE, USCG, and TDEC authorizations and approvals. The following is a list of project-specific special mitigation measures the City will implement to reduce the impacts of the Sport Complex development. The City has also agreed to provide TVA evidence of adherence to these measures.

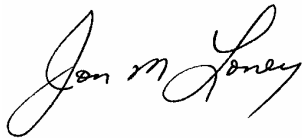
1. The City agrees to protect any isolated archaeological resources that may be present in the eastern portion of Site 40AN165 on a portion of Tract No. XMHR-49. The City further agrees to conduct any grading, soil removal, or excavation within this area of concern, shown in Figure 4-1, while the work is being monitored by a qualified archaeologist approved by TVA. At the conclusion of all archaeological monitoring, the City will submit copies of a brief report (as an addendum to Alexander 2005) on the investigations (monitoring results) to TVA, SHPO, and EBCI.
2. The City agrees to landscape, maintain, and manage the Sports Complex to retain or replace (plant) trees of such height and growth characteristics that they will screen the early 20th century house, Magnet Knitting Mills, and the early 20th century upscale homes along Eagle Bend Road. The City will provide a vegetative screening plan for the early 20th century upscale homes along Eagle Bend Road to the SHPO for their review before construction begins. This will include location and types of plantings along the northern and eastern boundary with the Norfolk Southern railroad. In addition, full cutoff or shielded directional lighting will be used to minimize visual effects on the early 20th century house, Magnet Knitting Mills, and the early 20th century upscale homes along Eagle Bend Road.
3. To avoid noise impacts on nearby residents in the immediate vicinity of the Sports Complex, the City agrees to end sporting events at 11:00 p.m. and concerts at 10:00 p.m.
4. The City will submit an initial landscaping plan, involving use of native plants, to TVA for approval.
5. For certain events when City officials anticipate a larger than normal number of patrons, an event-specific shuttle service from a designated location such as the Hicks Street Municipal Parking Lot will be established to reduce the effects of increases in traffic on Carden Farm Drive.
6. Area lighting poles less than 40 feet in height will be used for general lighting. The City also agrees to use shielded “dark sky” fixtures for exterior lighting in order to eliminate upward light transmission that adds to night sky brightness, and to reduce the amount of light seen across the night landscape. Fixtures will be fully shielded or have internal low glare optics such that no light is emitted from the fixture at angles above the horizontal. Shielded lighting will reduce the effective number of total lumens by 35 percent. The upper limit or the defined beam of ballfield lighting should be no more than 80 degrees above nadar (10

degrees or more downward from the horizontal plane of the luminaire). All fixtures shall be deeply regressed lamp with internal shielding. Any nighttime construction activity will require temporarily retrofitting floodlights and other fixtures with external visors and side-shields.

7. The City agrees to plant a vegetative screen of native mixed tree and evergreen shrub species, 10-foot minimum width, along the southern boundary of the project site and along the eastern boundary with the NS railroad. Shrubs shall have mature height of 10 to 12 feet tall and be 4.5 to 5 feet tall when planted, with a maximum spacing of 5 feet. Trees shall have a mature height of 30 to 35 feet or greater and be a minimum of 9 to 10 feet in height and a maximum of 20 feet apart when planted.
8. The City agrees to use color schemes for building exteriors that will be visually compatible with natural background colors and will provide dark roofs on all structures.

Conclusion and Findings

Based on the analysis in the attached TVA-prepared EA and the mitigation measures to which the City has agreed to adhere, TVA concludes that approval of the requested deed modification, land use allocation change, and structures requiring approval under Section 26a of the TVA Act would not be a major federal action significantly affecting the quality of the environment. Accordingly, an environmental impact statement is not required. Further, these actions will not adversely affect historic properties, meeting TVA's obligations under Section 106 of the NHPA; and will not have an adverse impact on federally listed threatened or endangered species, fulfilling the requirements under Section 7 of the Endangered Species Act.



August 23, 2005

Jon M. Loney, Manager
NEPA Administration
Environmental Policy and Planning
Tennessee Valley Authority

Date Signed